THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

WRIT APPEAL No.109 of 2006

JUDGMENT: (Per BPR,J)

Heard both sides.

When the matter is taken up for admission, at the request made by both the learned counsel, the appeal itself is taken up for disposal.

This appeal is preferred against the interim order dated 20-04-2005 in W.P.M.P.No.21845 of 2004 in W.P.No.16722 of 2004 directing the appellants to implement G.O.Ms.No.98, dated 15-04-1986 to the displaced persons by reserving and filling up of 50% of the vacancies in the light of the judgment of this Court in similar writ petitions, in particular, order dated 24-11-1995 in W.P.No.21272 of 1994 and order dated 09-10-1995 in W.P.No.20342 of 1995.

The learned standing counsel appearing on behalf of the appellants virtually stated that the interim order, as granted, amounts to allowing the writ petition itself. That apart it is also their case that the G.O.Ms.No.98 dated 15-04-1986 has no application to the case hand.

The learned counsel for the respondents contended that having regard to the orders passed in similar writ petitions, the interim direction was granted in W.P.No.16722 of 2004.

Having heard the learned counsel on either and perused the material on record, it is seen that there is no dispute with regard to the fact that in similar writ petitions, this Court issued directions as stated above. Further the main objection of the appellants is with regard to the applicability of the said G.O. to the respondents. Having considered all these aspects, the learned Single Judge granted the interim

direction pending the writ petition. Though the learned standing counsel pointed out that granting such interim direction amounts to allowing the writ petition itself, a reading of the order challenged, we cannot find any justification to deny the relief as granted.

In the circumstances, the writ appeal is dismissed. However, having regard to the interim orders passed and the urgency expressed, list W.P.No.16722 of 2004 on 06-02-2006 for final hearing before the learned Single Judge subject to part-heard. No costs.

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(B. PRAKASH RAO, J)

Dated 01-02-2006

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(P. LAKSHMANA REDDY, J)

ghn